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C O N F I D E N T I A L SECTION 01 OF 03 BAGHDAD 002988

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SUBJECT: MASHADANI: JULY 22 BLOC AND KIRKUK ARE CRITICAL OBSTACLES TO PROVINCIAL ELECTIONS LAW

Classified By: Ambassador Ryan C. Crocker for Reasons 1.4 (b) and (d).

¶1. (C) SUMMARY Parliament Speaker Mahmoud Mashadani told the Ambassador September 10 that he had formed a special committee to resolve the provincial elections law standoff. He claimed that the primary concerns of the July 22 bloc involve the status of Kirkuk, the need for special elections for that region, and power-sharing arrangements in Kirkuk, which Sunni Arabs insist must be settled separately from provincial elections and prior to elections. He said he was negotiating with the July 22 bloc to reach a consensus, and noted that the longer, more detailed UNAMI amendment to Article 24 was more acceptable to most CoR members because it was less open to interpretation. Mashadani also said that any executive branch solution under the 2005 elections law would be unacceptable to the Iraqi street, less than legitimate, and a great failure for the CoR. Mashadani opined that there was too much influence from Iran and Turkey, but said that the Jordanians and the Saudis should embrace the Iraqi Shia to reinforce their Arab identity and help Iraq confront Iran. He added that Kuwait should be more accommodating in its debt negotiations with Iraq, and warned against Kuwait trying to hinder access to the Gulf. END SUMMARY

¶2. (C) The meeting between Speaker Mashadani and Ambassador Crocker opened with exchange of greetings and the relaying of information on the availability of thyroid testing from the Combat Support Hospital (the U.S. military facility in the International Zone) in Baghdad, which led to Mashadani sharing that he suffers from hypothyroidism. Mashadani confided that this was one reason he allowed the CoR to recess in August without an elections law, as he was feeling ill.

ELECTIONS

¶3. (C) Simultaneous to the meeting with the Ambassador, a special committee was waiting to commence its work in the next room. Mashadani noted that several bloc leaders and parliamentarians had lobbied for a large committee of bloc leaders, but Mashadani had insisted that such a committee would be too large. Mashadani instead created a committee of six persons to work on the election law's controversial Article 24 about elections in Kirkuk. The members were Mohamed Tamim (National Dialogue Front), Mohamed Mahdi al-Bayati (UIA/Turkmen), Hashim al Tai,e (Al-Tawafiq), Khalid Salam Shwan (KAL/KDP), Younadam Kanna (Christian, Al-Nahrain) and Sa,ad al Din Mohamed Amen (Sunni, Turkmen Front). One of the Shia Islamist Coalition members showed up uninvited, complaining that they were not represented. Mashadani threw him out, saying that he (Mashadani) represented all Arabs.

¶4. (C) Mashadani opined that the bloc, which had approved the

controversial provincial election law on July 22, could be absorbed into the larger Iraqi body politic and would be a moderate group with a basis for constructive action. He stressed that following its successful parliamentary maneuvers against the Kurd/Shia draft provincial election law, the July 22 bloc feels it has power. Mashadani described the July 22 bloc as being composed openly or discretely of deputies close to Prime Minister Maliki, Ayad Allawi (Iraqiya), Saleh Al-Mutlaq (National Front for Dialogue), Omar Jubouri, the Sunni Arab Iraqi Islamic Party, the Tadamun (Solidarity bloc of Shia), Dawa Tanzim, and former Prime Minister Jaferi. Arabs, he commented, could not join Kurds when the issue came to Kirkuk.

UNAMI TEXT

¶6. (C) Mashadani noted that he had two possible texts for Article 24. He said the briefer version would not be acceptable to many people because it was open to too many interpretations, and the status of Kirkuk remains unclear. He opined that with the shorter UNAMI proposal, the July 22 bloc would escalate the confrontation because it did not have the detailed guarantees concerning the Kirkuk election process that they want. By contrast, Mashadani opined, they might accept the UNAMI text that had far more detail. More specifically, Mashadani said, the Sunni Arabs want Kirkuk administration power-sharing arrangements in place before the Kirkuk elections would be held. The IIP will not be able to moderate the July 22 group's tough stand, Mashadani cautioned. The party is split internally, and if not

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channelled, the July 22 bloc will organize more opposition. According to Mashadani, the mood among Sunni Arabs and the Turkmen is that they do not want an escalation, and they have the power to make an agreement. The logical solution, according to Mashadani, is a special law for Kirkuk elections, a point the Kurds have conceded in the shorter UNAMI text. That law, Mashadani opined, would have many of the elements of the longer UNAMI text.

KURDISH ISSUES

¶7. (C) Mashadani insisted that there must be pressure on all parties to agree to a compromise election law. The Kurds have agreed on all points except on guarantees for the Kirkuk election process. The Kurds, however, need to be flexible. Mashadani claimed that the Kurds agreed to remove reference to Article 140 about restitution of Kirkuk's original inhabitants. The Ambassador noted surprise that the Kurds had relinquished on what had been a key demand on their side. Mashadani said that he and Rowsh Shaways were discussing this, and had agreed on all points except the guarantees. Mashadani also insisted that the Iranians and Turks were pressuring the Kurds on the Kirkuk issue, but that there should be no international intervention. On the other hand, Mashadani noted, the Turkish Special Envoy to Iraq Murat Ozcelik had informed him that a law with specific guarantees for Kirkuk would be good, and the Iranians were taking essentially the same position.

EXECUTIVE BRANCH SOLUTIONS

¶5. (C) Mashadani also said he would push all parties toward an election law. Should parliament fail to pass a provincial elections law, Mashadani said that the executive branch could conduct elections with the old law. However, this would be a blow to parliament, showing that the CoR cannot do its job, and causing a loss of parliamentary credibility. The 2005 election law, with its closed list system, would not be

acceptable to the Iraqi electorate because it limits change and, according to Mashadani, because the newly elected councils would lack legitimacy. He predicted a low turnout in the event of an election under the 2005 law, which would make the legitimacy of such an election even more suspect. He noted that it was important to elect provincial councils that acted in a transparent manner. Mashadani said he thought it would be possible to pass a law within a week, but urged the US to apply pressure. The Ambassador noted that provincial elections were important to building democracy in Iraq. They should be held sooner, not later, and if possible in 2008. The Ambassador also urged that the elections be conducted with an open-list candidate system - a point Mashadani readily accepted.

THE TWO KING ABDULLAHS

¶8. (C) Mashadani reported that King Abdullah of Jordan visited him in the hospital in Amman in August. King Abdullah had said he would visit Saudi Arabia, and asked Mashadani what he wanted from Saudi Arabia. Mashadani said he told Abdullah that the Saudis should & invite Prime Minister Maliki to Saudi Arabia.⁸ Mashadani opined that it would be useful for Saudi Arabia to deal directly with the Arab Shia; the Saudis could help most by embracing the Shia and Kurds. King Abdullah of Saudi Arabia must understand that Iraqis do not need arms, but rather Arab involvement to help Iraq maintain its Arab identity. Mashadani averred that Iraqis need moral support from both Abdullahs: support for the new government and help reducing Iran's influence in Iraq. Currently, he reported, the Arab Shia look to Iran for moral support. If Saudi Arabia would accept Maliki, it would draw him and the Shia away from Iran. Mashadani said he thought the Saudis would respond, and he reminded Abdullah of Jordan that Iraq has the oil and Jordan needs it.

OTHER REGIONAL INFLUENCES

¶9. (C) Mashadani also expounded on Iranian influence in Iraq and on Kuwait. He stated that Iranian influence must be limited, ostensibly through Arab states, interaction and support from Saudi Arabia and Jordan. Mashadani said that Larijani had invited him to Iran, but Mashadani declined

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until the Kirkuk problem is solved. On Kuwait, Mashadani disparagingly identified it as a "little state" with "little shaykhs." He also noted that it was unacceptable that Kuwait controlled Iraq's access to the Gulf. Finally, Mashadani also caviled at the problem of Iraqi debt owed to Kuwait. It was bad enough that Kuwait was causing problems for Iraq's effort to procure a new aircraft from Canada. Worse, Mashadini complained, the Iraqi debts were incurred to defend the Arab states from Iran. Kuwait, he said, should consider this in its negotiations with Iraq.

CROCKER